IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 15246 OF 2007

Dated : August 9, 2007

Between:

Modemreddy Venkata Ramana Reddy

Petitioners

AND

The Station House Officer,
No.1 town (Crimes) Station,
Nellore, Nellore District and another

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO. 15246 OF 2007

ORAL ORDER: **(per THE HON'BLE MR. JUSTICE D.APPA RAO)**

Heard the learned Government Pleader for Home on behalf of the respondents.

2. This is a taken up writ petition on the basis of a petition dated 07.07.2007 sent by the petitioner alleging that his son by name M.Vinod Kumar Reddy, was detained illegally by the constable of I Town (Crime) Station, Nellore on 6.7.2007 and he apprehends danger to the life of his son.

3. The Sub-Inspector of Police, I-Town (Crime) Police Station, Nellore, - first respondent, filed counter affidavit, inter alia stating that the alleged detenue was never detained. However, it is stated that the alleged detenue was called for an enquiry in Cr. No. 82x67 of 2007 registered by the first respondent Police, and since his involvement was not made out, he was let off. The statement of the alleged detenue was recorded by the Mandal Executive Magistrate, Nellore, wherein he had categorically stated that he was never taken into custody by the police and he was moving freely.

b4. In view of these revelations made in the counter affidavit and in view of the fact that the alleged detenue has been moving freely, we do not see any ground whatsoever to further proceed with the matter.

5. Consequently, the writ petition fails and is accordingly dismissed at the stage of admission. However, there shall be no order as to cost.

D.S.R.Varma, J.

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D.Appa Rao, J.

August 9, 2007
MAS